

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF BREATHITT COUNTY WATER)	
DISTRICT FOR AUTHORITY TO ENTER INTO A)	CASE NO. 2011-00399
LOAN AGREEMENT WITH THE KENTUCKY)	
INFRASTRUCTURE AUTHORITY)	

ORDER

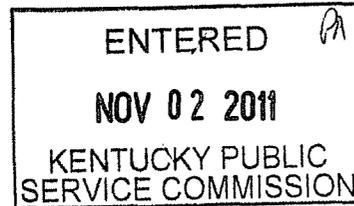
Breathitt County Water District ("Breathitt District") has applied to the Commission for authority to execute a loan agreement with the Kentucky Infrastructure Authority ("KIA") in an amount not to exceed \$2,500,000. Breathitt District has requested a deviation from 807 KAR 5:001, Section 6, which requires that "a financial exhibit shall be annexed to the application, the said exhibit shall cover operations for a twelve (12) month period, said period ending not more than ninety (90) days prior to the date the application is filed." It proposes to use a financial exhibit that covers the calendar year ended December 31, 2010.

In support of its request, Breathitt District states that no material change has occurred in its financial condition or operations of the District since December 31, 2010. It further states that execution of the proposed loan agreement before November 23, 2011 is necessary for the water district to avoid the loss of Community Development Block Grant funds and that the required information cannot be compiled and published before that date.

Finding that the application contains sufficient information for this matter to proceed and that good cause exists to permit Breathitt District to deviate from 807 KAR 5:001, Section 6, the Commission HEREBY ORDERS that:

1. Breathitt District's request to deviate from 807 KAR 5:001, Section 6, is granted.
2. Breathitt District's application is accepted for filing and shall be considered filed as of September 30, 2011.

By the Commission



ATTEST:


Executive Director

Case No. 2011-00399

Honorable Brendon D Miller
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